

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: §
Avarahm SHEKALIM § Confirmation No.: 6269
Serial No.:10/558,409 § Group Art Unit: 3763
Filed: November 28, 2005 §
For: Drug Delivery Device And § Attorney
Method § Docket: 2894/13
Examiner: Theodore J. STIGELL §

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER

Sir:

Petitioner, Nilimedix Ltd., is the owner of record of a 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of US Patents Nos. 7,291,126 and 7,377,907. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior

patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Respectfully submitted,

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Date: April 10, 2011

 X Terminal disclaimer fee under 37 CFR 1.20(d) is to be charged to Deposit Account 06-2140.

 X PTO suggested wording for terminal disclaimer was unchanged.